

**CALIFORNIA VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD
OPEN MEETING MINUTES
JULY 25, 2003
9:30 A.M.
630 "K" STREET
FIRST FLOOR HEARING ROOM
SACRAMENTO, CALIFORNIA**

The California Victim Compensation and Government Claims Board convened its regular session at the call of Jacqueline R. Wilson, Deputy Director, Interagency Support Services, Department of General Services, acting for and in the absence of J. Clark Kelso, Interim Director, Department of General Services, Chairperson, at the First Floor Hearing Room, 630 "K" Street, Sacramento, California, on Friday, July 25, 2003, at 9:30 a.m. Present were Board members, David Rosenberg, Senior Advisor to the Governor, the Governor's Office, and Cindy Aronberg, Deputy Controller, State Controller's Office, acting for and in the absence of Steve Westly, Controller.

The Board, on a motion by Jackie Wilson, voted to have Mr. Rosenberg act as Presiding Officer for the July 25, 2003, meeting.

The Board meeting commenced with the pledge of allegiance.

Board staff present included Catherine Close, Interim Executive Officer; Judith Kopec, Supervising Staff Counsel; Steve Hall, Manager, and Donnel Toppila, Analyst, from Government Claims Program. Also in the audience were Pete Williams, DEO, Victim Compensation Program; Sherri Gauger, ADEO, Legislation; David Shaw, DEO, Hearings and Revenue Recovery; Shirley Ramudo, Chief, Audits and Investigations; and Carol Fieldhouse, DEO, Administration. Sandy Davidson, Acting Board Liaison, recorded the meeting.

EXECUTIVE OFFICER REPORT

Ms. Close briefly discussed the Contract Report of June 2003, the new look of the Board website, revenue enhancement measures, and cost containment measures. Because of losses of revenues and cash flow problems, payments to providers may be held by September. Sherri Gauger summarized legislation of interest to the Board, including AB 1760, AB 1759, and AB283. SB 631, which contains revenue enhancement measures, is set for hearing on August 20. The Judicial Council has a new bill, SB 940, that will develop guidelines to collect fines, and Board staff will participate on the task force that develops the guidelines. The Executive Officer's report is attached for further information.

GOVERNMENT CLAIMS PROGRAM

The Board commenced the Government Claims portion of the meeting at 9:55 a.m.

CLAIMS EXAMINER RECOMMENDATIONS

Item 1 **CLAIMANT: Barbara Cross** **G528077**

The Board voted to adopt the claims examiner's recommendation to reject the claim.

Item 2 **CLAIMANT: Lancaster Community Hospital** **G532182**

The Board voted to continue this claim to allow staff to get additional information.

DISCUSSION AND ACTION ITEMS

Item A Supervising Staff Counsel, Judith Kopec, presented the **Proposed Decision in the matter of claim number G55436, Gary Cecil, under Penal Code section 4900, et seq.** The Board voted to remand the claim to the hearing officer to respond to the issues raised by Mr. Cecil's attorney, and directed that the entire record be made available to the Board when the proposed decision is re-submitted to the Board.

Item B Staff presented the **Request for Discharge from Accountability for Uncollectible Accounts pursuant to Government Code section 13940 et seq.** After review and discussion of the item, the Board voted to adopt the requests for discharge from accountability.

OTHER BUSINESS

The Board voted to adopt the staff recommendations on the claims listed on the Government Claims Program Consent Agenda dated July 25, 2003, with the following changes:

Item #9	G529431 for Kenda Systems, Inc. Claimant requested a claims examiner review this claim.
Item #56	G534593 for Larinda Norwood Department of Highway Patrol requests a continuance for further review.
Item #88	G535687 for Sharon Wang Claimant requested a claims examiner review this claim.
Item #136	G536321 for Scott Kopald Dept. of Transportation requested continuance of this claim.
Item #190	G536950 for JB Technologies, Inc. Staff requested a continuance for further investigation.
Item #208	G537094 for Donald Vodicka Staff requested a continuance for further investigation.

A.	Total claims awarded on consent	284	
	To be paid under GC § 965	12 for	\$ 38,155.44
	To be paid under claims bill	46	\$115,782.44
B.	Claims rejected on consent	306	

The Government Claims hearing was adjourned at **10:10 a.m.**

VICTIM COMPENSATION PROGRAM

The Board commenced the Victim Compensation Program portion of the meeting at 10:10 a.m.

Pete Williams, Deputy Executive Officer, Victim Compensation Program, presented “**Nonprofit Provider Agreements**” and provided an overview of the program’s use of Nonprofit Provider Agreements to provide expedited processing for mental health claims and bills.

Pete Williams also reported on the revision of the regulations concerning mental health service limitations. The revised regulations will be presented to the Board at its meeting of August 22, 2003.

CLOSED EXECUTIVE SESSION (GC § 11126(c)(3))

Pursuant to Government Code section 11126(c)(3), the Board members adjourned into a closed Executive Session with the Board’s Supervising Staff Counsel at 10:15 a.m., to deliberate on the proposed decisions that were taken under submission during the meeting.

The Board reconvened into an open session at 10:35 a.m.

PROPOSED DECISIONS

Item 1 **CLAIMANT** **179525V**

The Board voted to adopt the proposed decision.

Item 2 **CLAIMANT** **464806V**

The Board voted to adopt the proposed decision.

Item 3 **CLAIMANT** **602483V**

The Board voted to adopt the proposed decision.

Item 4 **CLAIMANT** **615922V**

The Board voted to adopt the proposed decision.

Item 5 **CLAIMANT** **653755V**

The Board voted to adopt the proposed decision

Item 6 **CLAIMANT** **665333V**

The Board voted to adopt the proposed decision.

Item 7 **CLAIMANT** **688580V**

The Board voted to adopt the proposed decision.

Item 8 **CLAIMANT** **694825V**

The Board voted to adopt the proposed decision.

Item 9 **CLAIMANT** **702671V**

The Board voted to adopt the proposed decision.

Item 10 **CLAIMANT** **704780V**

The Board voted to adopt the proposed decision.

Item 11	<u>CLAIMANT</u>	<u>713332V</u>
	The Board voted to adopt the proposed decision.	
Item 12	<u>CLAIMANTS</u>	<u>713896V, 729070V</u>
	The Board voted to adopt the proposed decision.	
Item 13	<u>CLAIMANT</u>	<u>716232V</u>
	The Board voted to adopt the proposed decision.	
Item 14	<u>CLAIMANT</u>	<u>722746V</u>
	The Board voted to adopt the proposed decision.	
Item 15	<u>CLAIMANT</u>	<u>723112V</u>
	The Board voted to adopt the proposed decision.	
Item 16	<u>CLAIMANT</u>	<u>732245V</u>
	The Board voted to adopt the proposed decision.	
Item 17	<u>CLAIMANT</u>	<u>724017V</u>
	The Board voted to adopt the proposed decision.	
Item 18	<u>CLAIMANT</u>	<u>724053V</u>
	The Board voted to adopt the proposed decision.	
Item 19	<u>CLAIMANTS</u>	<u>724677V, 724680, 724681, 724684</u>
	The Board voted to adopt the proposed decision.	
Item 20	<u>CLAIMANTS</u>	<u>724840V, 724848</u>
	The Board voted to adopt the proposed decision.	
Item 21	<u>CLAIMANT</u>	<u>727280V</u>
	The Board voted to adopt the proposed decision.	
Item 22	<u>CLAIMANT:</u>	<u>727305V</u>
	The Board voted to adopt the proposed decision.	
Item 23	<u>CLAIMANT</u>	<u>728144V</u>
	The Board voted to adopt the proposed decision.	
Item 24	<u>CLAIMANT</u>	<u>729983V</u>
	The Board voted to adopt the proposed decision.	
Item 25	<u>CLAIMANT</u>	<u>731408V</u>
	The Board voted to adopt the proposed decision.	
Item 26	<u>CLAIMANTS</u>	<u>735193V, 735195V</u>
	The Board voted to adopt the proposed decision.	
Item 27	<u>CLAIMANT</u>	<u>740431V</u>

The Board voted to adopt the proposed decision.

Item 28 **CLAIMANTS** **758595V, 758600V**

The Board voted to adopt the proposed decision.

Item 29 **CLAIMANT** **761828V**

The Board voted to adopt the proposed decision.

Item 30 **CLAIMANT** **766675V**

The Board voted to adopt the proposed decision.

Item 31 **CLAIMANT** **2003-01**

The Board voted to adopt the proposed decision

The Board voted to adopt the staff recommendations on the balance of claims for which appeals were withdrawn or deemed to be withdrawn and action on claims for which a hearing was denied under the California Code of Regulations, title 2, section 647.20.1.

REQUESTS FOR RECONSIDERATION

The Board voted to adopt the staff recommendations to deny the following requests for reconsideration:

<u>CLAIMANT</u>	<u>316431V</u>
<u>CLAIMANT</u>	<u>666512V</u>
<u>CLAIMANT</u>	<u>666514V</u>
<u>CLAIMANT:</u>	<u>666516V</u>
<u>CLAIMANT</u>	<u>734378V</u>
<u>CLAIMANT:</u>	<u>620263V</u>
<u>CLAIMANT:</u>	<u>720684V</u>
<u>CLAIMANT</u>	<u>720472V</u>
<u>CLAIMANT:</u>	<u>670905V</u>
<u>CLAIMANT</u>	<u>742138V</u>
<u>CLAIMANT</u>	<u>747536V</u>
<u>CLAIMANT</u>	<u>747036V</u>
<u>CLAIMANT</u>	<u>760479V</u>
<u>CLAIMANT</u>	<u>619590V</u>
<u>CLAIMANT</u>	<u>720968V</u>
<u>CLAIMANT</u>	<u>751924V</u>
<u>CLAIMANT</u>	<u>605645V</u>
<u>CLAIMANT</u>	<u>605647V</u>
<u>CLAIMANT</u>	<u>605650V</u>
<u>CLAIMANT</u>	<u>734288V</u>
<u>CLAIMANT</u>	<u>752470V</u>
<u>CLAIMANT</u>	<u>752030V</u>
<u>CLAIMANT</u>	<u>662460V</u>
<u>CLAIMANT</u>	<u>662463V</u>
<u>CLAIMANT</u>	<u>618716V</u>
<u>CLAIMANT</u>	<u>743238V</u>
<u>CLAIMANT</u>	<u>733908V</u>

<u>CLAIMANT</u>	<u>740750V</u>
<u>CLAIMANT</u>	<u>740751V</u>
<u>CLAIMANT</u>	<u>735866V</u>
<u>CLAIMANT</u>	<u>739268V</u>
<u>CLAIMANT</u>	<u>715002V</u>
<u>CLAIMANT</u>	<u>729420V</u>
<u>CLAIMANT</u>	<u>730372V</u>
<u>CLAIMANT</u>	<u>718049V</u>
<u>CLAIMANT</u>	<u>705211V</u>
<u>CLAIMANT</u>	<u>670449V</u>
<u>CLAIMANT</u>	<u>641753V</u>
<u>CLAIMANT</u>	<u>713317V</u>
<u>CLAIMANT</u>	<u>703206V</u>
<u>CLAIMANT</u>	<u>489162V</u>

MISCELLANEOUS ITEMS

The Board voted to adopt the June 27, 2003, Board Meeting minutes.

There was discussion to move the previously scheduled September 26 hearing to September 19, 2003, beginning at 10:00 a.m., because of numerous commitments by the Board members, which was agreed upon. Also agreed was that the August 22nd meeting would begin at 10:00 a.m.

The meeting was adjourned at **10:45 a.m.**

CATHERINE A. CLOSE
Interim Executive Officer

I certify that the California Victim Compensation and Government Claims Board adopted these minutes at its meeting of _____ at _____, California.

Date: _____ By: _____
Sandy Davidson
Legal Secretary

(Affix seal here)